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FISCAL IMPACT REPORT

ORIGINAL DATE 2/2/06
 LAST UPDATED 2/12/06 HB 341/HCPACS/aHF#1

SPONSOR HCPAC

SHORT TITLE Change Professional Licensure Renewal Cycle SB _____

ANALYST McSherry

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Non-Rec	Fund Affected
FY06	FY07	FY08		
	\$0.0-\$15.0		Recurring	Psychologist Examiners Fund

(Parenthesis () Indicate Expenditure Decreases)

House Bill 341 “Change Professional Licensure Renewal Cycle” relates to House Bill 331 “Expand Temporary Licensure and Reciprocity.”

SOURCES OF INFORMATION

LFC Files

Responses Received From

Corrections Department (CD)
 Department of Health (DOH)
 Regulation and Licensing Department (RLD)
 NM Health Policy Commission (NMHPC)

SUMMARY

Synopsis of House Floor Amendment #1 to Substitute Bill 341

The House Floor amendments to House Bill 341:

- Remove the proposed requirement that in order to be licensed, psychologists would be required a one year of pre-doctoral internship approved by the American psychological association and one year of pre-doctoral supervised training;
- Change the psychologist licensing requirement so that rather than a post-doctoral internship approved by the American psychological association and one year of supervised professional training after receiving the doctoral degree or after receiving the doctoral degree, at least two years of supervised experience in psychological work of a type satisfactory to the board, candidates would be required a pre-doctoral internship and one year of supervised professional training or two years supervised experience.
- Provide that temporary licensure does not include issuance of a conditional prescription certificate unless all requirements provided for in the “Conditional prescription certificate; prescription

certificate; application; requirements; rulemaking by board; issuance, denial, renewal and revocation of certification” section of the Psychologist Act.

Synopsis of Original Substitute Bill

The House Consumer and Public Affairs substitute for House Bill 341 proposes to amend the Psychologist Examiners Act to:

- Allow staggered biennial licensing
- Changing the cap on renewal and licensing fees from \$300 to \$600 dollars
- Require the board to promulgate reciprocity rules “in accordance with the standards and guidelines set fourth by the American Psychological Association or the Association of State and Provincial psychology boards” for other states, or Canadian province.
- Require that the applicants to the Board provide evidence they:
 - Graduated from an accredited doctoral program, accredited by a nationally recognized accreditation body and holds a degree with a major in clinical, counseling or school psychology from a school with a full-time course of study in psychology.
 - Have had a year of pre-doctoral internship approved by the American Psychological association and one year of pre-doctoral supervised training.
 - Either have had: 1. a year of post-doctoral internship approved by the American Psychological Association and one year of supervised professional training after receiving the doctoral degree, or 2. At least two years of supervised experience in psychological work of a type satisfactory to the Board after receiving the doctoral degree
- Require applicants for licensure to “demonstrate awareness and knowledge of New Mexico Cultures as determined by the board”
- Remove the requirement that psychologists take an oral exam
- Require that applicants for licensure pass a jurisprudence examination and provides the board ability to give the test on-line.
- Provide for provisional licensure for up to 18 months and temporary licensure for up to six months.

FISCAL IMPLICATIONS

The change from annual to biannual licensing would not cause a net change in board revenues. The change in reciprocity, temporary, and provisional licenses may increase board revenues. As a license fee is currently \$300/year and could be \$600/every other year, 50 additional licensures would cause the board to generate up to \$15 thousand in additional revenues/year.

SIGNIFICANT ISSUES

NMCD stresses that it is important that licensing standards remain high and are not diminished by allowing for reciprocity. The department reports that currently New Mexico’s high standards protect vulnerable patients from actions of unqualified mental health providers. While licensure is not the only standard employed in the hiring process, it is an important safeguard to ensure some uniformity in training, experience, and professional judgment.

According to the Department of Health, there are an insufficient number of behavioral health practitioners in New Mexico to meet the mental health and substance abuse needs of our citizens. DOH asserts that this shortage is especially acute in the rural and frontier areas of the state. Lengthy delays in licensing qualified practitioners and restrictive policies of accepting credentials from practitioners working in other states have made relocation to New Mexico a difficult and time-consuming process.

DOH contends that the proposed changes in HB341 would facilitate licensing of new psychologists, graduating from New Mexico universities and potentially increase the number of licensed and experienced psychologists from other states considering relocation to New Mexico.

This bill is an executive initiative which is part of a larger initiative to remove barriers to licensing and encourage more behavioral health practitioners.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

House Bill 341 is related to House Bill 253 which would change definitions, expand board duties, provide for reciprocity, and allow for temporary licensure of the Social Work Practice Act;

And, House Bill 331 which would provide for reciprocal licensing of counselors and therapists licensed in other states for five or more years, not been the object of any disciplinary action in that time, with a degree from an accredited institution and certified by an appropriate national board, and extend the time one can be granted a temporary license to six months, to allow sufficient time to those applying through the regular application process to supply needed documentation of the Counseling and Therapy Practice Act.

OTHER SUBSTANTIVE ISSUES

HB341 would implement recommendations of the New Mexico Behavioral Health Workforce Group in response to Executive Order 2004-062.

The intended purpose of the bill, according to RLD, is to facilitate licensing of new psychologists graduating from New Mexico universities and potentially increase the number of licensed and experienced psychologists from other states considering relocation to New Mexico.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Licensing would continue to be regulated under the current licensure statute.

According to the Corrections Department, the present system causes psychologists from out of state to pursue a cumbersome licensing process that can take 6 or more months to completed.

The department asserts that the current requirement for passing the Oral Exam often results in a candidate failing to pass and having to reschedule a second opportunity to take the exam. Corrections further asserts that this sequence of events delays licensure, causes the applicant to decide to move to another state, or encourages them to practice under a different type of clinical licensure that has lower standards.

POSSIBLE QUESTIONS

1. How is New Mexico cultural knowledge determined?
2. What is the Board of Psychologist Examiners and the Psychologist professional organization opinion regarding the changes proposed in this bill?
3. What is the expected increase in applicants for temporary and/or provisional licensure?
What is the expected increase in reciprocal applicants?

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